

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America)

v.)

James C. Carter,)

Defendant)

Date of Previous Judgment: January 17, 2003)

(Use Date of Last Amended Judgment if Applicable))

Case No: CR-1-02-30

USM No: 03563-061

Steven Scott Nolder

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 151 months **is reduced to** 130 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 29Amended Offense Level: 27Criminal History Category: VICriminal History Category: VIPrevious Guideline Range: 151 to 188 monthsAmended Guideline Range: 130 to 162 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**☒ The reduced sentence is within the amended guideline range.

The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

Other (explain):

III. ADDITIONAL COMMENTSExcept as provided above, all provisions of the judgment dated 1/17/03 shall remain in effect.**IT IS SO ORDERED.**Order Date: June 2, 2008Effective Date: June 2, 2008
(if different from order date)

 Judge's signature

 Herman J. Weber, United States District Judge
 Printed name and title